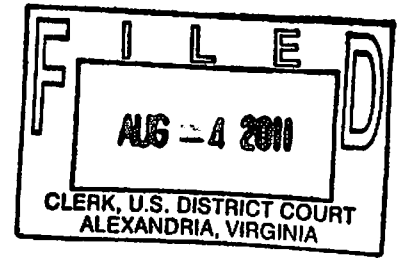


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)	Case No. 1:11-CR-381
)	
v.)	The Honorable T.S. Ellis, III
)	
UNDER SEAL)	<u>UNDER SEAL</u>

SEALING ORDER

This matter having come before the Court on the Government's Motion to Seal Case pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The government seeks to have this entire case UNDER SEAL.
2. Sealing of this case is necessary because disclosure of the case would jeopardize an ongoing criminal investigation, would jeopardize the safety and cooperation of the defendant, and could result in the destruction of evidence.
3. The Court has considered procedures other than sealing, but none would suffice to protect the information subject to sealing.
4. The Court has the inherent power to seal materials submitted to it. See United States v. Wuagneux, 683 F.2d 1343, 1351 (11th Cir. 1982); State of Arizona v. Maypenny, 672 F.2d 761, 765 (9th Cir. 1982); Times Mirror Company v. United States, 873 F.2d 1210 (9th Cir. 1989); see also Shea v. Gabriel, 520 F.2d 879 (1st Cir. 1975); United States v. Hubbard, 650 F.2d 293 (D.C. Cir. 1980); In re Braughton, 520 F.2d 765, 766 (9th Cir. 1975). "The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests." In re Knight Pub. Co., 743 F.2d

231, 235 (4th Cir. 1984). Sealing of the entire case is appropriate where there is a substantial probability that the release of the sealed documents would compromise the government's ongoing investigation severely. See e.g. In re Search Warrant for Secretarial Area Outside Office of Gunn, 855 F.2d 569, 574 (8th Cir. 1988); Matter of Eye Care Physicians of America, 100 F.3d 514, 518 (7th Cir. 1996); Matter of Flower Aviation of Kansas, Inc., 789 F.Supp. 366 (D. Kan. 1992).

5. The government seeks to have the case sealed until the government files a motion to unseal. The government will file a motion to unseal the case as soon as circumstances permit unsealing.

6. The government seeks to have the Motion to Seal Case sealed until it files a Motion to Unseal the Case and that Motion is granted.

NOW THEREFORE,

IT IS ORDERED that:

1. The government's Motion to Seal this entire case is GRANTED.

2. The case will remain under seal until the government files a motion to unseal and that motion is granted. The government will file a motion to unseal as soon as circumstances permit unsealing.

SO ORDERED:

/s/

T. S. Ellis, III
United States District Judge

The Honorable T. S. Ellis, III
United States District Judge

Date:

8/4/11